

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA
Plaintiff

v.

Case Number 4:01cr3114-001
USM Number 16968-047

FREDRICK NATION
Defendant

MICHAEL J. HANSEN
Defendant's Attorney

JUDGMENT IN A CRIMINAL CASE
(For Revocation of Probation or Supervised Release)

THE DEFENDANT admitted guilt to violation of a mandatory condition of the term of supervision.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Date Violation Concluded</u>
1. Mandatory Condition	The defendant shall not commit another federal, state, or local crime.	September 14, 2006

Original Offense: Possession of Child Pornography in violation of 18 USC 2252A(a)(5)(B).

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Following the imposition of sentence, the Court advised the defendant of his right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within ten (10) days of this date.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
February 16, 2007

s/ Richard G. Kopf
United States District Judge

February 22, 2007

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IMPRISONMENT

It is ordered defendant's supervised release is revoked. The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **Time Served**.

The Court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of a copy of this judgment this _____ day of _____,

Signature of Defendant

RETURN

It is hereby acknowledged that the defendant was delivered on the _____ day of _____, _____ to _____, with a certified copy of this judgment.

UNITED STATES WARDEN

By: _____

NOTE: The following certificate must also be completed if the defendant has not signed the Acknowledgment of Receipt , above.

CERTIFICATE

It is hereby certified that a copy of this judgment was served upon the defendant this _____ day of _____, _____

UNITED STATES WARDEN

By: _____

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **eighteen (18) months**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two period drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with any additional conditions.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;

11. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

1. Defendant shall be subject to the search of the defendant's premises, vehicle or person, day or night, with or without a warrant, at the request of the U.S. Probation Officer to determine the presence of controlled substances, firearms, computer equipment, sexually explicit material, or any other contraband. Any such items found may be seized by the U.S. Probation Officer. This condition may be invoked with or without the cooperation of law enforcement officers.
2. Defendant shall pay for, attend, and participate in an inpatient or outpatient mental health program, to include undergoing a diagnostic evaluation, treatment or counseling program of approved support group regarding sexual issues, as directed by the U.S. Probation Officer.
3. Defendant shall not initiate, establish, maintain, or attempt verbal, physical, electronic, or written contact with any minor child under the age of 18. The defendant shall not reside in the same residence with minor children without the prior written authorization of the U.S. Probation Officer.
4. Defendant is prohibited from using or having access to any online computer programs such as America Online or any other computer networking service throughout the term of supervised release. However, he shall not be prohibited from using or possessing a computer for purposes of his employment.
5. Defendant is prohibited from possessing any type of sexually explicit material that is unlawful in any form, including visual depictions by computer, magazine, video, artist rendering, or in any other format. If the U. S. Probation Officer observes such materials in the defendant's possession, they may be immediately confiscated.
6. As directed by the U. S. Probation Officer, the defendant shall notify third parties of risk that may be occasioned by his criminal record or personal history or characteristics, and he shall permit the Probation Officer to make such notifications to confirm his compliance with such notification requirement.
7. Defendant shall provide the U.S. Probation Officer with access to any requested financial information.
8. Defendant shall participate in the District of Nebraska Victim Awareness Program as directed by the U. S. Probation Officer.
9. The requirement of 18 U.S.C. § 3583 (d) regarding drug testing, that is, testing within fifteen (15) days of release on Supervised Release and to two (2) periodic drug tests thereafter to determine whether defendant is using a controlled substance, is suspended until further order of the Court because there are no signs of abuse.
10. Defendant shall report to the Supervision Unit of the U.S. Probation Office for the District of Nebraska between the hours of 8:00am and 4:30pm, 100 Centennial Mall North, 530 U.S. Courthouse, Lincoln, Nebraska, (402) 437-5223, within seventy-two (72) hours of release from confinement.

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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

Total Assessment

\$100.00 (PAID)

Total Fine

FINE

Total Restitution

No fine imposed.

RESTITUTION

No Restitution was ordered.

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay; payment of the total criminal monetary penalties shall be due as follows:

The \$100 special assessment has been paid.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer or the United States attorney.

All financial penalty payments are to be made to the Clerk of Court for the District of Nebraska, 593 Federal Building, 100 Centennial Mall North, Lincoln, NE 68508.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The defendant shall forfeit the defendant's interest in the following property to the United States:

- a) Computer Made Easy computer, mini-tower, Model #386140, serial #26891;
- b) Packard Bell Monitor, serial #77231623;
- c) Torisan CD-Rom Drive Unit, #oc5052002;
- d) PS 2 Computer Mouse, serial #7mo683594;
- e) 2 Multimedia speakers;
- f) Digital Hard Drive, serial #cx41084654;
- g) Twenty-seven (27) 3.5" floppy disks;
- h) Mitsumi computer keyboard, serial #9411165810;
- i) Panasonic KX-P 11241 24 pin printer, serial #1GMBCCF45952;
- j) Sixteen (16) 3.5" floppy disks;
- k) Two (2) Maxell CD-R Data Discs;
- m) Conexant Modem-PCI, serial #A99-018238

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

CLERK'S OFFICE USE ONLY:
ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy _____